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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/210,721	12/14/1998	HIDEO FUSHIMOTO	35.G2316	5018

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EXAMINER

GENCO, BRIAN C

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/210,721

Applicant(s)

FUSHIMOTO, HIDEO

Examiner

Brian C Genco

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by (USPN 6,282,362 to Murphy et al).

In regards to claim 1 Murphy et al, herein Murphy, discloses an “image sensing means” (column 8, line 66 – column 9 , line 8); a “storage means for storing predetermined data” (column 15, lines 18-20, 30-36), wherein the “predetermined data” is the map data base; “display means” (element 340 of Fig. 2); “designation means” (column 14, lines 35-40; column 9, line 62 – column 10, line 12; column 16, lines 62-65), wherein a user designates a point on the pre-stored map by moving to that location and taking a picture; and “generation means” (column 9, line 62 – column 10, line 5; column 11, lines 49-58), namely generating position and time data associated with the image.

Note that Murphy discloses two different “designation means” for performing the same operation. In the recording mode the “designation means” is controlled by the location of the camera generated by the GPS system and displayed in the form of an icon as discussed above for designating a location on a map to link image data in the form of a hyperlink. In the playback

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mode the “designation means” is a cursor used to designate a hyperlink to bring up image data for that location on the map (column 10, lines 61-65). Examiner is defining both of these control systems as a whole as the claimed “designation means.”

In regards to claim 2 see examiners notes on the rejection of claim 1. Murphy discloses the “addition means” (column 10, lines 45 – 65; column 11, line 59 – column 12, line 11) wherein the link information is added to the map by the use of an icon.

In regards to claim 3 Murphy discloses that the playback unit downloads the image data for viewing, or in other words “stores the image taken by said image sensing means” (column 10, lines 1-5).

In regards to claim 4, by the very nature of the designation means, as defined by the examiner above, if multiple images are taken at the same location then they are linked to the same point. Only when the user moves to a new location are the images linked with another point because the new location designates a new point on the map. Note that Murphy discloses the ability to take continuous and sequential images (column 12, line 49 – column 13, line 54).

In regards to claim 5 see examiners notes on the rejection of claim 1.

In regards to claim 6 see examiners notes on the above rejections. Murphy discloses the ability to display the image data in lists or “hierarchy fashion according to said link information” (column 10, line 66 – column 11, line 6).

In regards to claim 7 see examiners notes on the rejection of claim 1.

In regards to claim 8 see column 11, line 66 – column 12, line 11.

In regards to claim 9 see examiners notes on the rejection for the above claims.

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In regards to claim 10 see examiners notes on the rejection for the above claims. Note that Murphy discloses the association of "identification information" such as time information and index information with the link information.

In regards to claim 11 see examiners notes on the rejection of claim 1.

In regards to claim 12 see examiners notes on the rejection of claim 2.

In regards to claim 13 see examiners notes on the rejection of claim 4.

In regards to claim 14 see examiners notes on the rejection of claim 5.

In regards to claim 15 see examiners notes on the rejection of claims 7 and 11.

In regards to claim 16 see examiners notes on the rejection of claims 8 and 11.

In regards to claim 17 see examiners notes on the rejection of claims 9 and 11.

In regards to claim 18 see examiners notes on the rejection of claims 10 and 11.

In regards to claims 19-21 note that Murphy discloses the use of a microprocessor and stored program order to control the disclosed invention (column 15, lines 14-20).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(USPN 5,142,662 to Gump et al)

(USPN 5,902,347 to Backman et al)

(USPN 5,768,447 to Irani et al)

(USPN 5,155,774 to Numagami)

(USPN 5,471,392 to Yamashita)

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(USPN 6,018,697 to Morimoto et al)

(USPN 5,216,596 to Weinstein)

(USPN 5,592,599 to Lindholm)

(USPN 5,870,741 to Kawabe et al)

(USPN 6,111,662 to Satoh et al)

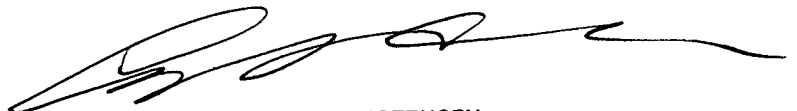
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian C. Genco who can be reached by phone at 703-305-7881 or by fax at 703-746-8325. The examiner can normally be reached on Monday thru Friday 8:00am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center 2600 customer service office whose telephone number is 703-306-0377.

Brian C Genco
Examiner
Art Unit 2615

January 14, 2003



ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600